

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America

v.

Norberto GOMEZ

Case No.

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of September 16, 2020 in the county of Webb in the
Southern District of Texas, the defendant(s) violated:

Code Section

21 USC § 952

Offense Description

The defendant, a citizen of The United Mexican States, did knowingly and unlawfully import from a place outside the United States, to-wit: The United Mexican States, to a place inside the United States, to-wit: Laredo, Texas a controlled substance listed under Schedule II of the Controlled Substance Act, to wit; approximately 8.88 kilograms of heroin and approximately 35.68 kilograms of methamphetamine.

This criminal complaint is based on these facts:

Attachement A

☒ Continued on the attached sheet./s/ Ryan M. DiAndrea*Complainant's signature*Ryan M. DiAndrea, Special Agent*Printed name and title*

Sworn to before me and signed in my presence.

Date: September 18, 2020*Judge's signature*City and state: Laredo, TexasJohn A. Kazen, U.S. Magistrate Judge*Printed name and title*

Attachment "A"

I, Ryan DiAndrea, a Special Agent with Homeland Security Investigations, have knowledge of the following facts:

1. On September 16, 2020, Norberto GOMEZ, a citizen of The United Mexican States, and United States Lawful Permanent Resident, presented for admission into the United States via the Juarez Lincoln Bridge Port of Entry in Laredo, TX. GOMEZ was operating a Silver Chevrolet Silverado and was the sole occupant of the vehicle. At primary inspection GOMEZ presented his Lawful Permanent Resident card and made a negative declaration for fruits, plants, meat, alcohol, drugs and money over \$10,000.00. GOMEZ stated to the CBP Officer that he had traveled to San Luis Potosi, Mexico to have his vehicle repaired. The inspecting CBP Officer observed that the vehicle had what appeared to be new tires and excessive balancing weights on the wheels of the rear two tires. The CBP Officer asked GOMEZ how old the tires were on his vehicle, and GOMEZ appeared to be confused and nervous. GOMEZ stated to the CBP Officer that the vehicle and all the contents belonged to him. The CBP Officer referred the vehicle driven by GOMEZ for secondary inspection.
2. At secondary inspection, the CBP Officers conducted a physical inspection of the vehicle and luggage contained therein. The physical inspection of the vehicle and contents were negative. During the inspection, GOMEZ again made a negative declaration to the CBP Officers. GOMEZ and his vehicle were then referred for a non-intrusive vehicular inspection (x-ray).
3. During the x-ray inspection CBP Officers observed anomalies in both rear tires of the vehicle operated by GOMEZ. A CBP K9 and its CBP Officer handler were requested to respond to the x-ray inspection area to conduct a free air sniff of the vehicle. A free air sniff of the air from the rear tires from GOMEZ's vehicle resulted in a positive alert from the CBP K9. GOMEZ and his vehicle were then referred again to the secondary inspection area for further inspection.
4. The rear tires of GOMEZ's vehicle were removed from the wheels and metal containers were observed to be welded to the wheels. The metal containers were opened and a total of 12 bundles of suspected narcotics were extracted. Field tests of the contents of the bundles were positive for two containing black tar heroin and ten containing crystal methamphetamine. The total weight of the black tar heroin bundles was approximately 8.88 kilograms and the crystal methamphetamine bundles weighed approximately 35.68 kilograms.
5. Homeland Security Investigations (HSI) Special Agents (SAs), with the assistance of a Spanish speaking CBP Officer, advised GOMEZ of his rights pursuant to Miranda in the Spanish language, both verbally and in writing. GOMEZ waived his Miranda rights, both verbally and in writing, and agreed to answer questions.
6. GOMEZ stated to the Agents he traveled to San Luis Potosi, Mexico to visit family because a relative had passed away. GOMEZ stated he had the rear brakes and differential of his vehicle repaired by a mechanic in Mexico, and the tires on his vehicle were purchased approximately four months prior.
7. GOMEZ was thereafter taken into custody.